

33875  
SEC

SERVICE DATE - LATE RELEASE JULY 30, 2003

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34342

KANSAS CITY SOUTHERN

— CONTROL —

THE KANSAS CITY SOUTHERN RAILWAY COMPANY,  
GATEWAY EASTERN RAILWAY COMPANY,  
AND  
THE TEXAS MEXICAN RAILWAY COMPANY

Decision No. 6

Decided: July 30, 2003

On July 18, 2003, a Notice to the Parties (Decision No. 4) was served in this proceeding. The service list was attached to the Notice. The Notice directed that corrections to the service list must be filed in writing with the Surface Transportation Board (Board) by July 25, 2003. The Notice also directed that all persons actively participating as a Party of Record in this proceeding must serve a copy of all filings submitted so far on all persons listed as Parties of Record, to the extent such filings have not previously been served upon such other parties.

The Board received a request from Adrian L. Steel, Jr., counsel for The Burlington Northern and Santa Fe Railway Company to have the name of Sidney L. Strickland, Jr., added to the service list as a Non-Party. The request is granted and Mr. Strickland's name will be added to the service list as a Non-Party.

The Board also received a request from G. Paul Moates, counsel for CSX Transportation, Inc., and Norfolk Southern Corporation to correct a typographical error in the name of his law firm. The correct name of the law firm is: Sidley Austin Brown & Wood LLP (not Sidney Austin Brown & Wood). The correction has been made as shown in the attached Appendix.

On July 31, 2003, the Board will hold a public hearing in this proceeding at its headquarters in Washington, D.C. Persons who filed notices of intent to participate in the hearing or submitted written statements, and who were not shown as Parties of Record or Non-Parties on the July 18, 2003 service list, will be added to the service list as Non-Parties. (See attached Appendix.)

This action will not affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The final service list incorporates the additions/correction shown in the Appendix attached to this decision.

2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

**APPENDIX**

THE FOLLOWING LAW FIRM NAME IS **CORRECTED**:

**PARTY OF RECORD**

G. Paul Moates  
**Sidley** Austin Brown & Wood LLP  
1501 K Street, N.W.  
Washington, D.C. 20005

Represents: CSX Transportation  
Norfolk Southern Corporation

THE FOLLOWING SPEAKERS' NAMES ARE **ADDED** TO THE SERVICE LIST AS  
**NON-PARTIES**:

**NON-PARTY**

Gary E. Beachner  
General Manager  
Beachner Grain, Inc.  
P.O. Box 128  
St. Paul, KS 66771

**NON-PARTY**

Gerald K. Davies  
Executive Vice President &  
Chief Operating Officer  
Kansas City Southern  
427 West 12th Street  
Kansas City, MO 64105

**NON-PARTY**

Edward P. deZevallos  
General Partner  
Triangle Marine Industrial Park  
5930 Star Lane, Suite A  
Houston, TX 77057

**NON-PARTY**

William J. Fellows  
Vice President  
Bartlett and Company  
4800 Main – Suite 600  
Kansas City, MO 64112

**NON-PARTY**

Albert S. Foley  
Vice President – Sulfuric Acid  
Martin Product Sales LLC  
560 West Crossville Road, Suite 204  
Roswell, GA 30075

**NON-PARTY**

Michael R. Haverty  
Chairman, President & Chief  
Executive Officer  
Kansas City Southern  
427 West 12th Street  
Kansas City, MO 64105

**NON-PARTY**

John Orrison  
Executive Vice President, Strategic  
Planning & Product Development  
Pacer International, Inc.  
2300 Clayton Road, Suite 1200  
Concord, CA 94520

THE FOLLOWING ADDITIONAL NAMES ARE **ADDED** AS **NON-PARTIES:**

**NON-PARTY**

George Drain, Jr.  
C.W.S., Inc.  
5137 Indianapolis Blvd.  
East Chicago, IN 46312

**NON-PARTY**

John B. Ficker  
Weyerhaeuser Company  
P.O. Box 9777  
Federal Way, WA 98063-977

**NON-PARTY**

Mike Gilbert  
Griffin Industries, Inc.  
4221 Alexandria Pike  
Cold Spring, KY 41076-1897

**NON-PARTY**

Ronald W. Hitter  
Mazda North American Operations  
7755 Irvine Center Drive  
Irvine, CA 92618-2922

**NON-PARTY**

Gary L. Kidwell  
AK Steel Corporation  
703 Curtis Street  
Middletown, OH 45043-0001

**NON-PARTY**

William Loocke  
Coastal Warehouse, Ltd.  
602 N. Sunset Street  
Wharton, TX 77488

**NON-PARTY**

Louis R. Mastandrea  
Unimin Corporation  
258 Elm Street  
New Canaan, CT 06840

**NON-PARTY**

Frank J. Pergolizzi  
Slover & Loftus  
1224 Seventeenth Street, N.W.  
Washington, D.C. 20036

**NON-PARTY**

Sidney L. Strickland, Jr.  
The Burlington Northern and Santa Fe Railway Company  
700 Thirteenth Street, N.W., Suite 220  
Washington, D.C. 20005